

10/01/2020

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

## PLAINTIFFS

MARIA HRYNENKO

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
 Richard E. Mischel, Mischel & Horn, P.C.  
 One Whitehall Street - 10th Floor  
 New York, New York 10004, 212-425-5191

## DEFENDANTS

EMILY WILLIAMS,  
 SUPERINTENDENT, TACONIC CORRECTIONAL FACILITY  
 ATTORNEYS (IF KNOWN)  
 Sylvia Wertheimer, ADA, N.Y. County  
 One Hogan Place  
 New York, New York 10010, 212-335-9000

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
 (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Petition for Writ of Habeas Corpus by NYS Prisoner, 28 U.S.C. Sub Section 2254

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No  Yes  Judge Previously Assigned MacMahon

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. 22 CV 2684

Is THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes 

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

## TORTS

## ACTIONS UNDER STATUTES

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/	[ ] 625 DRUG RELATED	[ ] 1422 APPEAL	[ ] 375 FALSE CLAIMS
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[ ] 376 QUI TAM
[ ] 130 MILLER ACT	LABILITY	INJURY/PRODUCT LIABILITY	[ ] 365 PERSONAL INJURY	[ ] 1423 WITHDRAWAL	[ ] 400 STATE
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	21 USC 881	28 USC 157	REAPPORTIONMENT
INSTRUMENT	SLANDER	[ ] 368 ASBESTOS PERSONAL	[ ] 690 OTHER		[ ] 410 ANTITRUST
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	INJURY PRODUCT			[ ] 430 BANKS & BANKING
OVERPAYMENT &	EMPLOYERS' LIABILTY	LIABILITY			[ ] 450 COMMERCE
ENFORCEMENT					[ ] 460 DEPORTATION
OF JUDGMENT	[ ] 340 MARINE				[ ] 470 RACKETEER INFLU-
	[ ] 345 MARINE PRODUCT	PERSONAL PROPERTY	[ ] 820 COPYRIGHTS		ENCED & CORRUPT
	LABILITY		[ ] 830 PATENT		ORGANIZATION ACT
[ ] 151 MEDICARE ACT	[ ] 350 MOTOR VEHICLE	[ ] 370 OTHER FRAUD	[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		(RICO)
[ ] 152 RECOVERY OF	[ ] 355 MOTOR VEHICLE	[ ] 371 TRUTH IN LENDING	[ ] 840 TRADEMARK		[ ] 480 CONSUMER CREDIT
DEFAULTED	PRODUCT LIABILITY				[ ] 485 TELEPHONE CONSUMER
STUDENT LOANS				SOCIAL SECURITY	PROTECTION ACT
(EXCL VETERANS)	[ ] 360 OTHER PERSONAL	[ ] 380 OTHER PERSONAL	LABOR	[ ] 861 HIA (1395ff)	
RECOVERY OF	INJURY	PROPERTY DAMAGE		[ ] 862 BLACK LUNG (923)	
OVERPAYMENT	[ ] 362 PERSONAL INJURY -	[ ] 385 PROPERTY DAMAGE	[ ] 710 FAIR LABOR	[ ] 863 DIWC/DIVWV (405(g))	[ ] 490 CABLE/SATELLITE TV
OF VETERAN'S	MED MALPRACTICE	PRODUCT LIABILITY	STANDARDS ACT	[ ] 864 SSID TITLE XVI	[ ] 850 SECURITIES/
BENEFITS			[ ] 720 LABOR/MGMT	[ ] 865 RSI (405(g))	COMMODITIES/
[ ] 160 STOCKHOLDERS		PRISONER PETITIONS	RELATIONS		EXCHANGE
SUITS		[ ] 463 ALIEN DETAINEE	[ ] 740 RAILWAY LABOR ACT		[ ] 890 OTHER STATUTORY
[ ] 190 OTHER		[ ] 510 MOTIONS TO	[ ] 751 FAMILY MEDICAL		ACTIONS
CONTRACT		VACATE SENTENCE	LEAVE ACT (FMLA)	FEDERAL TAX SUITS	[ ] 891 AGRICULTURAL ACTS
CONTRACT		28 USC 2255		[ ] 870 TAXES (U.S. Plaintiff or	[ ] 893 ENVIRONMENTAL
PRODUCT				Defendant)	MATTERS
LIABILITY		[ ] 530 HABEAS CORPUS	[ ] 790 OTHER LABOR	[ ] 871 IRS-THIRD PARTY	[ ] 895 FREEDOM OF
[ ] 196 FRANCHISE	CIVIL RIGHTS	[ ] 535 DEATH PENALTY	LITIGATION	26 USC 7609	INFORMATION ACT
		[ ] 540 MANDAMUS & OTHER	[ ] 791 EMPL RET INC		[ ] 896 ARBITRATION
			SECURITY ACT (ERISA)		[ ] 899 ADMINISTRATIVE
REAL PROPERTY	[ ] 440 OTHER CIVIL RIGHTS				PROCEDURE ACT/REVIEW OR
	(Non-Prisoner)				APPEAL OF AGENCY DECISION
					[ ] 950 CONSTITUTIONALITY OF
					STATE STATUTES
[ ] 210 LAND	[ ] 441 VOTING	PRISONER CIVIL RIGHTS	IMMIGRATION		
CONDEMNATION	[ ] 442 EMPLOYMENT		[ ] 462 NATURALIZATION		
[ ] 220 FORECLOSURE	[ ] 443 HOUSING/		APPLICATION		
[ ] 230 RENT LEASE &	ACCOMMODATIONS	[ ] 550 CIVIL RIGHTS			
EJECTMENT	[ ] 445 AMERICANS WITH	[ ] 555 PRISON CONDITION	[ ] 465 OTHER IMMIGRATION		
[ ] 240 TORTS TO LAND	DISABILITIES -	[ ] 560 CIVIL DETAINEE	ACTIONS		
[ ] 245 TORT PRODUCT	EMPLOYMENT	CONDITIONS OF CONFINEMENT			
[ ] 290 LIABILITY	[ ] 446 AMERICANS WITH				
ALL OTHER	DISABILITIES -OTHER				
REAL PROPERTY	[ ] 448 EDUCATION				

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION  
 UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
 AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?  
 IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint  
 JURY DEMAND:  YES  NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
						<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)
<input type="checkbox"/> a. all parties represented						
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

1 U.S. PLAINTIFF  2 U.S. DEFENDANT  3 FEDERAL QUESTION  4 DIVERSITY  
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] 5	DEF [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6	[ ] 6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Maria Hrynenko  
22 G 0017  
Taconic Correctional Facility  
250 Harris Road  
Bedford Hills, New York 10507-2497

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Superintendent, Taconic Correctional Facility  
Taconic Correctional Facility  
250 Harris Road  
Bedford Hills, New York 10507-2497

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

N/A

## COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN

DATE

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

YES (DATE ADMITTED Mo. August Yr. 1974)  
Attorney Bar Code # RM6721

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)